

U.S. Department of Energy
OFFICE OF RIVER PROTECTION

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AUG 30 2000

00-OSD-098

Mr. Michael A. Wilson, Program Manager
Nuclear Waste Program
State of Washington
Department of Ecology
P.O. Box 47600
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Dear Mr. Wilson:

**NOTIFICATION OF STATUS OF INTERIM STABILIZATION (IS) CONSENT DECREE
MILESTONE FOR FISCAL YEAR 2000 REGARDING REMOVAL OF ORGANIC
COMPLEXED PUMPABLE LIQUID**

The Single Shell Tank (SST) IS Consent Decree No. CT-99-5076-EFS, filed with the U.S. District Court on September 30, 1999, establishes milestones for, among other things, removal of organic complexed pumpable liquid from SSTs. These milestones include both pumping start dates for particular tanks and dates by which the amount of pumpable organic complexed wastes remaining to be removed is to be at or below a certain percentage of the total pumpable volume. The milestone for Fiscal Year 2000 calls for a level of "38% of organic complexed pumpable liquid remaining to be removed" to be achieved by September 30, 2000.

The State of Washington Department of Ecology (Ecology) was previously notified that the U.S. Department of Energy, Office of River Protection (ORP) has initiated pumping on each of the organic complexed waste tanks ahead of schedule. In spite of the pump and piping failures, the pumps have significantly exceeded the operating hours anticipated in the Project Plan (HNF-2358). Currently, over 285,000 gallons of organic complexed waste have been transferred.

Although ORP has expended more funds than budgeted to address the pump and piping failures, the pumped volume has fallen far short of the 400,000 gallons that had been estimated to be transferred by this time in the project plan. The pump volume has been adversely impacted by several factors as noted below:

- **Equipment and piping issues:** Pump failures, pipe plugging, and piping failure far exceeded the rates considered in the Project Plan. These activities required additional resources and time for repair, replacement of pumps, and construction of new aboveground piping. A partial compensation for the failures has been that total pumping hours pumped have been higher than the pump efficiency assumed in the project plan, due to the improvements in the supporting systems.

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- Lower drainage rate than anticipated: The rates of liquid draining into the salt screen in each of the tanks have been less than one half of the drainage rates assumed in the Project Plan. The fact that the waste drains slower than anticipated to the pump has contributed to lower volumes of organic waste being pumped than projected in the project plan.
- Tanks reaching the pumping limit with lesser volume pumped: Two tanks, U-103 and U-105, have apparently reached limits of pumping with a total of approximately 50,000 gallons (17,000 gallons for U-103 and 33,000 gallons for U-105) less pumped than projected. Currently, these pumps are shut down for evaluation to ensure that they have met the stabilization criteria.

To offset the shortfall of liquid inflow from these unexpected events, ORP has accelerated the pumping start date of the one remaining organic complexed waste tank, U-106, from March 2001 to June 2000. Unfortunately, accelerated pumping of this tank was also unexpectedly delayed until late August due to the failure of an existing direct buried transfer line during hydro-test. This failure necessitated design and construction of a long aboveground pipeline which was neither scheduled nor budgeted for. Although pumping of the last organic complexed waste tank, U-106, has been accelerated far ahead of schedule, the impact of the early start on total volume removed by the September 30, 2000, deadline is uncertain.

In spite of all of the above unexpected events and circumstances that have slowed the pumping rates for organic complexed wastes, it is still quite possible that ORP will meet the September 30, 2000, deadline for pumping organic complexed wastes. If tanks U-103 and U-105, undergoing stabilization evaluation, are determined to have met the stabilization criteria, the amount of waste remaining to be pumped from the remaining organic complexed waste tanks will be below 38% of the total, and the milestone will have been met.

(In that case, the calculation in accordance with the Consent Decree would be as follows: The waste volume pumped from tanks U-103 and U-105 is a total of 50,000 gallons less than had been projected by the Project Plan, which effectively reduces the total estimated complexed waste volume from 502,000 gallons to 452,000 gallons. By September 30, 2000, it is estimated that only 150,000 gallons of pumpable organic complexed waste will remain in tanks other than U-103 and U-105, which would represent 33% of liquid organic complexed pumpable waste remaining to be removed.)

Although current information indicates that tanks U-103 and U-105 will meet the IS criteria, if it is determined that one or both of these tanks are not yet Interim Stabilized, then this could prevent ORP from reaching the September 30, 2000, milestone for organic complexed wastes.

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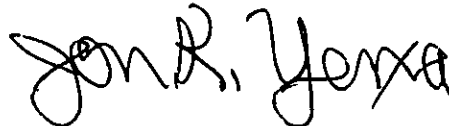
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In this case, it is ORP's view that there is good cause under the Consent Decree for extending the September 30, 2000, deadline. The Consent Decree contains provisions for schedule adjustments based on such factors as "unknown technical obstacles" and "equipment failures" [Section VI, subsections D (2) and (3)] that exceed the assumptions in the Project Plan. As explained above, and as discussed in briefings with your staff, both shortages in the volumes available to be pumped, and unanticipated waste characteristics have contributed to lower-than-expected pumping rates. Moreover, ORP believes that its efforts to start the pumping of all organic complexed waste tanks ahead of schedule, to rapidly repair failed pumps, and to substantially accelerate the pumping of tank U-106 more than satisfies the Consent Decree's requirement that ORP respond to unexpected difficulties with reasonable diligence.

Given the likelihood that the September 30, 2000, milestone will be achieved in spite of the unanticipated difficulties discussed above, ORP is not at this time requesting that the September 30, 2000 milestone in the Consent Decree be extended. Instead, the briefings with your staff and this letter are meant to ensure that everyone involved is fully informed in the event that an extension to the September milestone is needed.

We will continue to keep you and your staff informed of the developments over the next several weeks. If you have any questions at this time, please contact me, (509) 376-9628 or Dana Bryson, Director of the Operations Support Division, (509) 372-0947.

Sincerely,



Jon K. Yerxa, Acting Program Manager
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